IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2834 OF 2006

SUDHA SHAMRAO PARAB & ORS. PETITIONERS

Versus

CHOTHMAL S/o DEVICHAND MEHTA & ANR. RESPONDENTS

Mr. Nakhwa with Mr. D.S. Chandnani i/b Lexim Associates for petitioners

Ms. A.S. Pai, APP

CORAM:-SMT. RANJANA DESAI &
ANOOP V. MOHTA, JJ.

DATED:- 15/01/2007

P.C.

. We have heard Mr. Nakhwa, learned counsel for the petitioners. He made a grievance that respondent 2 has not submitted the report of investigation till date.

2. Respondent 2 has not submitted its report. API Smt. Nate, who is conducting the investigation is present in the court. She states that she is awaiting certain information. As soon as the information is made available, she will file a

report before the learned Magistrate. She should do so expeditiously, considering the fact that the petitioners 1 and 2 are Senior Citizens.

3. The learned counsel for the petitioners submitted that application dated 9/11/06 filed by the petitioners is pending before the learned Magistrate. He submitted that a direction be given to the learned Magistrate to dispose it of after the 2nd respondent files its report.

4. We direct the learned Magistrate seized of the matter to dispose of the said application after 2nd respondent submits its report in accordance with law.

5. We make it clear that we have not expressed any opinion on the merits of the case.

6. The learned counsel for the petitioners made a statement that the petitioners are being threatened. If the petitioners have any grievance, they should voice it before the learned Magistrate. We are sure that the learned Magistrate will pass appropriate order.

7. All contentions of the parties are kept open.

8. The petition is disposed of in the aforestated terms.

JUDGE

JUDGE